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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,096	11/05/2003	Stephen D. Kuslich	C364.104.101(19478-00005)	6813
24113 7590 09/08/2008 PATTERSON, THUENTE, SKAAR & CHRISTENSEN, P.A. 4800 IDS CENTER 80 SOUTH 8TH STREET MINNEAPOLIS, MN 55402-2100				
EXAMINER STEWART, ALVIN J				
ART UNIT		PAPER NUMBER		
3774				
MAIL DATE		DELIVERY MODE		
09/08/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10702096 00005)	11/5/03	KUSLICH, STEPHEN D.	C364.104.101(19478-

EXAMINER

Alvin J. Stewart

ART UNIT PAPER

3774

20080902

DATE MAILED:

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Commissioner for Patents

The amendment filed June 05, 2008 have been fully considered but the amendment is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the Applicant's representative elected on August 15, 2005 Species II, referring to Figure 2 without traverse. The Amendment filed on June 05, 2008 is referring to Species III, Figures 3-5 because is claiming a porous container. The elected species in Figure 2 does not disclose a container. therefore, the examiner has not examined the above claims because they belong to a non elected species. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

09/02/08

/Alvin J Stewart/
Primary Examiner
Art Unit: 3774